

**SEELEY LAKE SEWER DISTRICT**  
**SPECIAL BOARD MEETING**  
May 24, 2018

**Attendance:**

Mike Boltz	President	<b>PRESENT</b>
Mike Lindemer	Vice President	<b>PRESENT</b>
Bob Skiles	Director	<b>PRESENT</b>
Mark Butcher	Director	<b>PRESENT</b>
Davy Good	Director	<b>ABSENT</b>
Greg Robertson	Missoula Co	<b>ABSENT</b>
Felicity Derry	Secretary	<b>PRESENT</b>
Kim Myre	Missoula Co	<b>PRESENT</b>

**OPENING:**

The meeting was brought to order at 5:21pm by Mike Boltz at The County Offices, located at 3360 Highway 83 N, Seeley Lake.

**NEW BUSINESS:**

Environmental Assessment Resolution#05242018

Felicity Derry noted that Amy Deitchler had mentioned the Environmental Assessment at the public hearing for the PER. It had been available for public review. No comments had been received so it was up for approval by the Board. It was part of the TSEP grant application for Phase II for \$750,000. The Board discussed the application and the cycle for the future phases. There were no questions.

Mark Butcher moved to adopt the resolution. Bob Skiles seconded the motion, which was then passed unanimously.

The Board voted as follows on Resolution #05242018:

<b>Board Member</b>	<b>Yeas</b>	<b>Nays</b>	<b>Absent</b>
Mike Boltz	X		
Mike Lindemer	X		
Bob Skiles	X		
Mark Butcher	X		
Davy Good			X

Resolution#05242018 was passed to approve the environmental assessment.

**PUBLIC COMMENTS:**

None

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## **NEW BUSINESS:**

### District By-Laws

Mike Boltz said it had been brought to his attention that the District's by-laws needed to be updated and changed. The ordinances that they referred to had been repealed, which left them vague. The by-laws needed to be updated by an attorney. He had talked to the attorney who said that the way they were written the District should be qualifying candidates. It was referenced a couple of times and Mike Boltz then read them. Mike Boltz noted that he had to be qualified. He had to write a letter and speak with the members, just to be a candidate. Mark Butcher said he had done the same. Mike Boltz continued that according to the new election laws and the lack of the by-laws it did not have to be done. Currently there was a takeover of the Sewer District for the purpose of shutting it down. Mike Lindemer said that the by-laws referenced the election being in November of odd number years. Mike Boltz said that had been answered by Felicity Derry and the County Attorney. The terms were up last November, and there should have been an election. Felicity Derry added that the legislature had changed the statute so all of the terms were extended to May 31<sup>st</sup> and the election was in May.

Mike Lindemer referenced section 8 which said that the board should choose two members. Mike Boltz said that they were following the by-laws up until the last one on the Board. It was a huge problem. He did not believe that there could be a change in the direction according to the financing, the plans or the timeline. One of the members would like to change the whole thing, which would stop the project and the money would go away. They were seven years in and were going to end, and not start over again. What was Troy Spence's position on that?

Troy Spence said that nobody had said anything about deleting the sewer. They were going with different options. Mike Boltz said he had signed a paper that he did. Troy Spence replied that he did not sign a paper about deleting the sewer. Mike Boltz referenced the notice and protest. Troy Spence said that the notice and protest showed he was against it. Mike Boltz asked if he had changed his opinion. Troy Spence asked where it said he was for deleting the sewer. Mike Boltz said he thought he was for deleting the sewer. Troy Spence said that he could think anything he wanted. He had campaigned and was sorry that they lost the election. Mike Boltz said that he did not lose, nobody had lost. Mike Boltz asked if he would tell him what he thought. Troy Spence said he would at the next meeting. Mike Boltz questioned that he was not going to speak now. Troy Spence replied that he did not need to and asked why Mike Boltz was attacking him. Mike Boltz replied that he was asking him a question. Troy Spence said he told him. Bob Skiles added that he was waiting for Larson to tell him what to do. Troy Spence said that he did not say he was deleting the sewer, they were looking at different options. Mike Boltz said that would be deleting the sewer. Troy Spence said that it wasn't. Mike Boltz asked when he last attended a meeting. How would he know? It had to go forward according to plan, or it did not go forward. Mike Boltz noted that Troy Spence would not talk to them.

Dan Smrdel asked if the project were stalled or if it went in a different direction would there be a loss of federal money and financing. Mike Boltz replied that it would all go away. They would lose \$15million and the \$2million they had already spent on it. The District had been extended for so long to make it work that any hiccup, such as protesting Board members it would stop just like that. There was nothing he could do about it. It was serious business. It was millions and millions of dollars.

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Troy Spence said that the first thing was to work with the new members. Mike Boltz said that he had tried to talk to Beth Hutchinson and he had to hang up. He was not talking to her and Troy Spence was not talking with him. Troy Spence said that he had not been sworn in and did not have to talk to him. Bob Skiles questioned if people were sworn in as directors of the District and they were not qualified and it said you had to be qualified then the newspaper would sue them for not following directions. At the last meeting, he got after the newspaper for spending \$5,000, which it was really only \$600. Felicity Derry noted that it was actually about \$1,300. Bob Skiles said he really meant that it was a shame that as a board they had to spend \$5,000 to protect themselves from people like the newspaper and others to do the right thing. Troy Spence said to be qualified for the board you had to be 18, registered and a property owner. Bob Skiles said that he did not interrupt him, so he would appreciate if he didn't interrupt him. Mike Boltz said that Troy Spence was right, that was the direction from the election department. He said that did not alleviate the board members from not being qualified. If they felt that an attorney should step in and file an injunction with a judge to have you removed they had that option. That was where it sat currently. If he felt that it was a brick wall to stop it he would contact the attorney and start that process. He did not have to wait to hear your opinion, it was nothing because he was not saying anything. You want to sit on the Board, but you did not want to talk to us. How would that work? Troy Spence replied to work with us. Mike Boltz asked what he meant, did he have a group. Troy Spence said he had three new elected members. Bob Skiles said they did not show up to a meeting, so it didn't matter.

Bob Skiles said that he had been quiet on the letters to the editor. Somebody gave him a pathfinder, he did not buy it. He read part of the letter. They were trying to put in a sewage treatment facility. The letter was redundant and out of line. The sewer would service the homes already there, not future districts. The sewer system would help people that might have to dig wells that could be contaminated by high ground water. That was what they were there for. Bob Skiles questioned that many homes down flow from the treatment site had water in their basements from the high water. The flow of the groundwater did not go towards the houses it went towards Seeley Lake. It did not go to the airport. The groundwater where the sewer treatment plant would be was currently more than 30' deep. The treatment plant had a 30' water level and had only risen a couple of feet during this time. The water coming out of the treatment plant would be way cleaner than that from a septic tank. It was clean enough that he would drink it. Bob Skiles questioned that nobody had addressed the issue, because they had addressed the issue so many times. People did not listen, they had their own agenda and thought small. The serious environmental issues that had not been addressed, they had been addressed. Numerous sites had been studied. The EPA (DEQ) gave the District a discharge permit. What more studies did they want to have done? It had all been addressed so many times at the meetings that were all public record. People wrote letters and the newspaper did not care what it printed because it was a letter to the editor. Maybe it should be fact checked. Everybody thought they were trying to pollute everything up by the airport. The study from the Bureau of Mines showed that the water flowed towards Seeley Lake and not to the airport. The water was 30' below the surface. If the basement was flooded it was not due to the water from there.

Public asked if he had looked at the river running behind his house. Mike Lindemer asked if he knew the location of the plant. Public said it was back in the trees. Mike Lindemer explained where the treatment site would be and that it was lower than his home. The groundwater was coming out of the state lands. Bob Skiles said that the EPA (DEQ) and the engineering firm had studied it.

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Mike Lindemer said as a board they wanted to know what questions he had for the Board as the transition happened. The timeline was so important. They wanted to know what his thinking was. There were certain things that they could not divert from. They were working as hard as they could outside of the Sewer District to find funding for the people that could not afford it. They could not give an exact number, it was impossible. Sewer systems had been built all over and there was an estimated cost. The estimate was high. It might be lower. The last time he talked to the engineer all of the bids were coming in 20-30% lower. With Rural Development (RD) once you made the plan you had to stick to it. He did not know where the \$91.50 came from.

Nathan Bourne said that it came from Greg Robertson's O&M sheet. It showed that Phase I would start at the subsidized rate of \$36.47. Plus, the number that was in the notice and protest worked out to \$50-\$55. Those numbers added together was \$91.50. It was presented to the County Commissioners when he asked for the subsidy. Mike Lindemer asked when that was. Nathan Bourne replied that it was last fall ahead of the notice and protest. Mike Lindemer said that since last fall the District had received another \$500,000 from Senator Tester. Nathan Bourne said that it had nothing to do with the \$500,000 from Tester because it was O&M, those funds were not being used for that. He did not make it up. Reviewing it he questioned the date he had given previously. He would be happy forward it to the Board. Kim Myre noted that it was based the engineer's estimated cost for O&M. Then he was adding that to what was on the notice and protest which was also worst-case scenario. It could not exceed that. It could come in under that. Nathan Bourne said that those were the District's numbers, not made up but the numbers going into the notice and protest.

Bob Skiles said that if you take 20% off and then another 20% because of the way the bids were coming in it was down to \$40 or \$50. Mike Lindemer said that with RD you wanted the numbers high as you could to get more money. Mike Boltz said that it was a unique time. It was really a building project. With the economy winding around contractors were looking for things to do. Lots of stuff had been put on hold. A couple of years ago it was hard to get bids out. Sometimes you can do everything wrong and have it turn out right, and sometimes you do everything right and have it turn out wrong. If we can get the bid a lot cheaper, which he expected could be done, they had already got funding for more money it was a win win if they could cross the finish line. Things changed constantly. Within thirty days of the World Trade Centers going down he had nothing to do. Everybody canceled everything. The world can change just like that. He did not see any reason to stop look and smell the roses. To look if there was a cheaper or better way. It was just a sewer. Just like every other town that had a sewer it was a utility like the water or the roads. This was the best chance. We just need to run for the finish line. The stars had aligned and we can finally do it. The Community Foundation was working on things, the county was working on things for the low-income people. He did not think that there was anything that they were not addressing. He had yet to see any low-income person come in to the room to say that they could not afford it. The people with diamonds said they could not afford it. There was a cost involved with all septic tanks whether you were doing it right or not. Septic tanks failed. Right now, all over town the septic tanks were not working. The Filling Station was not working at all. Mark Butcher added that Grizzly's wasn't either. Mike Boltz said there were a couple of giant trucks at Rovero's. Their brand new \$125,000 system was under water. Were better septic systems the answer? They were the newest one and the trucks were taking out a lot of groundwater and their system was not working at all. No septic system would work under the current conditions. Mark Butcher said that it was a warning. If all of the people instead of pumping out and down the street were going into a sewer system, it would ok because it would be treated so clear water would back into the ground and to the lake.

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Mike Lindemer asked about touching base with the Army Corps. Mike Boltz said that he wanted to see what Tester's office had to say about the current situation. Mike Lindemer said to Troy Spence that the Board had been working on this diligently and were looking for other sources to make it affordable. There were ways to do it, but you had to dig for it. It was a complex puzzle. They had changed from lagoons to reeds to the SBR because they felt it was the best system for the community and the groundwater. There was no odor to the treatment plant. It was not going to stink. Bozeman, Three Forks and Big Fork had one. Bob Skiles said that the one in Bozeman was in the middle of a housing development and they did not know it was there. Nathan Bourne said that he had visited it and you could throw a rock from their fence to a house. Bob Skiles said that you could save money and look good by putting in a lagoon system and not hook everybody up. The Board had promised people for years that they would be hooked up. The Board did not want to put in a sewer system and then make the customers spend money to hook up. If your basement had water in it, your drainfield was flooded, so your drainfield had failed. Therefore, the county could come and make you stop using it. Mike Boltz said that the drain field for this building was flooded and didn't work. Kim Myre added that the building had been flooded for seven weeks. Bob Skiles said that it had to have sewage in it.

Troy Spence asked what the contingency plan for the backup on a failed main was. If the pipe blew and it went three, four or five days with this where did it go? Mike Lindemer said that it would not go three, four or five days. Troy Spence asked how he knew. If you break something a quarter size were you going to be running the pipeline every day? Mark Butcher replied that you shut it down and fixed it. Troy Spence asked how you would know it was leaking. Bob Skiles said that it was automated, the system would tell you. Troy Spence said if you don't get there for three or four hours and it had pumped all that stuff into the groundwater. Where did it go? People's houses. Mike Boltz said that Mark Butcher ran a plant in Alaska so you should listen to him. Troy Spence asked when the sewage hit the ground and the water and it ended up in people's houses what was the plan? Mark Butcher said that Missoula had a bypass running right now. Troy Spence asked what their plan was if that happened. Mark Butcher replied that you would fix it. Troy Spence questioned after it was already in the ground. Mark Butcher replied again to fix it. Troy Spence said he understood to fix it, but you had to have a backup. Mark Butcher asked if he wanted double lines. Troy Spence said that he had talked to an engineer who said that was not the place to go and he lived up there. Bob Skiles questioned that he had talked to an engineer who had said it was not right? Mike Lindemer asked what kind of an engineer he was. Troy Spence replied that he built big \$200million systems for Delmonte. You acted like you would be right next to the whole pipeline when it was up there. Bob Skiles said that there was redundancy in everything and the sewage could be stored to a point. If the pipeline ruptured the pressure systems could tell that the pressure in a lift station had dropped and it would shut down. Troy Spence asked where the stuff went when it blew. Bob Skiles replied that it went in the ground. Where did his stuff go right now? Mike Boltz said that nothing was blowing. Bob Skiles said this was far in the future. Mark Butcher said that it was engineered, certified and inspected. So, what if the world blew up? Troy Spence replied that they did not have an answer for him. Mark Butcher said that he had given it to him. Troy Spence questioned what happened to the spillage. It was going in the ground or going in the water system to people's houses. Mark Butcher said that most people when they asked a question already knew the answer. Troy Spence said that you ran the plant, he wanted the answer. Bob Skiles said that you dig it up and haul it away. Troy Spence asked after it had been flowing down to people's houses. Mike Boltz said that it was a moot point and they were done talking about it. Troy Spence did not want to stand and give his name and be cordial.

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Troy Spence said that he knew his name. Mike Boltz said it was the rule. Bob Skiles said that the town was in trouble. Mike Boltz adjourned the meeting.

**NEXT SCHEDULED MEETING:**

The next Board meeting was scheduled for June 21, 2018.

**ADJOURNMENT:**

Mike Boltz adjourned the meeting at 6:04pm.

Attest:

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Mike Boltz, President

-And-

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Felicity Derry, Secretary